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10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION  
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15 ROBERTO RAFAEL SANDOVAL, ) Case No. CV 10-2201-CBM (SH)  
16 Petitioner, ) ORDER TO SHOW CAUSE  
17 )  
18 v. )  
19 CAL. DEPT. OF CORRECTIONS, )  
20 Respondent. )  
21

22 In the Petition for Writ of Habeas Corpus, filed on March 25, 2010, petitioner  
23 names the California Department of Corrections as the respondent.


24 The California Department of Corrections is not a proper party in this  
25 proceeding. The only appropriate respondent is the state officer having custody of  
26 petitioner, which in this case would be the prison warden at Chuckawalla Valley  
27 State Prison in Blythe, California. See Rule 2(a) of the Rules Governing Section  
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1 2254 cases in the United States District Courts and the Advisory Committee Notes  
2 thereto; Hogan v. Hanks, 97 F.3d 189, 190 (7th Cir. 1996), cert. denied, 520 U.S.  
3 1171 (1997); Ortiz-Sandoval v. Gomez, 81 F.3d 891, 894-96 (9th Cir. 1996).

4 Within fourteen days (14) days of the date of this Order, petitioner is  
5 ORDERED to file a Notice which identifies the name of the proper respondent.

6 Petitioner is advised that the failure to timely comply with the above  
7 requirement may result in a recommendation that this action be dismissed without  
8 prejudice.

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10 DATED: August 9, 2010

  
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STEPHEN J. HILLMAN  
UNITED STATES MAGISTRATE JUDGE